

**§ 522.22 Number or proportion of learners.**

(a) The number of learners which any employer may be authorized to employ by any special certificate issued to meet normal labor turnover needs shall not exceed on any one workday ten percent of the total number of factory production workers in the plant: *Provided*, That, in plants employing less than 100 workers, a maximum of ten learners may be authorized.

(b) Special certificates may be issued to new or expanding plants authorizing the employment of learners in authorized occupations to the extent of need.

**§ 522.23 Learner occupations and learning periods.**

(a) In the occupations of sewing machine operating, final pressing, hand-sewing, and finishing operations involving hand-sewing, learners may be employed under a certificate at special minimum wage rates as provided in § 522.24 for a period not to exceed 320 hours. In the occupation of pressing (other than final pressing), a learner may be employed at such rates for a period not to exceed 160 hours.

(b) In the occupations of final inspection of assembled garments and of other machine operating (except the "cutting room" operations of knife or diecutting, spreading, and marking, wherever performed in the plant), a learner may be employed under a certificate at special minimum wage rates as provided in § 522.24 for a period not to exceed 160 hours: *Provided, however*, That these occupations shall be authorized under a certificate only in exceptional circumstances upon a showing by an individual employer making application for a special certificate that the occupation(s) as performed in the plant do in fact require substantial skill, training and judgment, and that opportunities for employment will in fact be curtailed in the absence of a certificate specifically authorizing the employment of learners at special minimum wage rates in these occupations.

(c) No worker shall be employed as a learner at special minimum rates in more than two of the learner occupations authorized by this section.

(d) If, within the previous three years, a worker has been employed in

any division of the apparel industry, or in the manufacturing of men's and boys' underwear from any woven fabric in establishments in the knitted wear industry, in an authorized learner occupation for less than the maximum period authorized for that occupation, the number of hours of previous employment shall be deducted from the learning period applicable to that occupation.

**§ 522.24 Special minimum wage rates.**

(a) The special minimum wage rates of learners employed in occupations for which a 320-hour period is authorized under § 522.23(a) shall during that period be not less than \$3.20 an hour through November 2, 1990; not less than \$3.65 an hour through March 31, 1991; and not less than \$4.10 an hour thereafter.

(b) The rates for experienced workers in any one of the occupations shown in § 522.23(a) for which a 320-hour learning period is authorized, who are being re-trained under the terms of a learner certificate in any other occupation shown in that paragraph having such a 320-hour maximum period, shall not be less than \$3.20 an hour for the first 160 hours and not less than \$3.25 an hour for the remaining 160 hours through November 2, 1990; not less than \$3.65 an hour for the first 160 hours and not less than \$3.70 an hour for the remaining 160 hours through March 31, 1991; and not less than \$4.10 an hour for the first 160 hours and not less than \$4.15 an hour for the remaining 160 hours thereafter.

(c) The rates for learners employed in the occupation of final inspection of assembled garments under § 522.23(b) shall be not less than \$3.25 an hour during the authorized 160-hour learning period through November 2, 1990; not less than \$3.70 an hour during such authorized learning period through March 31, 1991; and not less than \$4.15 an hour during such authorized learning period thereafter.

(d) The rates for learners employed in any occupation, other than final inspection of assembled garments, for which a 160-hour learning period is authorized in § 522.23 (a) or (b) shall be not less than \$3.20 an hour through November 2, 1990; not less than \$3.65 an hour